



WEB COPY



W.P.No.33677 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.12.2022

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.No.33677 of 2022

S.Akilavel

.. Petitioner

Vs.

1.The Tamil Nadu State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai,
Secretariat,
Chennai – 600 009,
Rep. by its Chairman.

2.The Director,
Tribal Welfare Department,
Chepauk,
Chennai – 600 005.

3.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

4.The Deputy Superintendent of Police,
Social Justice & Human Rights Division and
District Vigilance Enquiry Division,
Dharmapuri District,
Dharmapuri.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of



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India, praying for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to proceed with the enquiry regarding genuineness of social status and verification of Kurumans (ST) community certificate of the petitioner and his children namely 1) P.A.Navashree 2) Minor.A.Bharanivel issued by the Revenue Divisional Officer, Dharmapuri within the time framed manner and submit a report in order to get permanent Community Certificate for children of the petitioner.

For Petitioner : Mr.V.Elangovan
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

(Order of the Court was delivered by V.M.VELUMANI,J.)

The petitioner has come out with the present Writ Petition for a direction to the respondents 1 & 2 to proceed with the enquiry regarding genuineness of social status and verification of Kurumans (ST) community certificate of the petitioner and his children namely 1) P.A.Navashree, 2) Minor.A.Bharanivel issued by the Revenue Divisional Officer, Dharmapuri within the time framed manner and submit a report in order to get permanent Community Certificate for his children.

2.Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents.



3.By consent of both the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents, this Writ Petition is taken up for final disposal at the admission stage itself.

4.Heard the learned counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents and perused the entire materials on record.

5.According to petitioner he belongs to Kurumans Community, which is classified as Scheduled Tribe Community. He obtained community certificate from the 3rd respondent on 10.06.1996 to show that he belongs to Kurumans Community. His relatives also obtained Kurumans community certificate. The petitioner has given an application to the 3rd respondent on 01.06.2015 for issuance of community certificate for his children viz., Minor A.Navashree and Minor. A.Baranivel. Since no order was passed by the 3rd respondent on the said application dated 01.06.2015, the petitioner filed W.P.No.24132 of 2015 for a direction to issue community certificate to his children that they belong to Kurumans (ST) Community based on the community certificate issued to him. This



Court by the order dated 06.08.2015, directed the 3rd respondent to dispose of the application of the petitioner within a period of eight weeks.

The 3rd respondent, who is the authority to issue the community certificate, conducted enquiry and by the order dated 05.06.2018, referred the matter to the 1st respondent on the ground that the close relatives of the petitioner belong to Kurumbar Community.

5(i).Challenging the said order of the 3rd respondent dated 05.06.2018, the petitioner filed W.P.No.26533 of 2018. This Court by the order dated 23.10.2018, directed the 3rd respondent to issue Community Certificate to the petitioner's children and gave liberty to the 3rd respondent to refer the matter to the 1st respondent. The 3rd respondent filed Review Application in Rev.A.No.41 of 2019. This Court by the order dated 28.01.2020, disposed of the Review Application and directed the 3rd respondent to issue provisional community certificate to the petitioner's children and issue permanent community certificate depending upon the outcome of the enquiry conducted by the 1st respondent. The 1st respondent has not conducted any enquiry and hence, the petitioner has come out with the present Writ Petition.

6.Considering the limited relief sought for in the present Writ



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Petition by the petitioner, the 1st respondent is directed to proceed with the enquiry regarding the genuineness of the community certificate of the petitioner and pass orders within a period of six months from the date of receipt of a copy of this order.

7. With the above directions, the Writ Petition is disposed of. No costs.

(V.M.V., J) (R.H., J)
15.12.2022

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Index : Yes / No
Internet : Yes / No

To

1. The Tamil Nadu State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai,
Secretariat, Chennai – 600 009,
Rep. by its Chairman.
2. The Director,
Tribal Welfare Department,
Chepauk, Chennai – 600 005.
3. The Revenue Divisional Officer,
Dharmapuri, Dharmapuri District.

V.M.VELUMANI, J.



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and

R.HEMALATHA, J.

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4.The Deputy Superintendent of Police,
Social Justice & Human Rights Division and
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